CITY OF NEW ORLEANS CHIEF ADMINISTRATIVE OFFICE

POLICY MEMORANDUM NO. 76(R)

June 14, 2005

TO: All Departments, Boards, Agencies and Commissions

FROM: Charles L. Rice, Jr., Chief Administrative Officer

SUBJECT: SMOKING POLICY

1. PURPOSE.

This memorandum amends the smoking policy to declare that the City of New Orleans will establish a smoke-free work environment for municipal government and its buildings as prescribed in Ordinance No. 12726, the LA Office Clean Indoor Air Act of 1992 and regulations established by the department of Health.

2. SCOPE.

This policy applies to all employees and non-employees whose act of smoking violates the right of non-smokers to breathe smoke-free air while on City owned or operated property. It is the City's intent to protect the welfare of each employee and its citizens by providing a smoke-free environment.

3. <u>DEFINITION</u>.

SMOKING - The inhaling and exhaling of smoke by an individual from any form of lighted tobacco or lighted substance. This is intended to include the carrying of any lighted cigar, cigarette, pipe or any lighted smoking object or device.

4. ADMINISTRATIVE GUIDELINES.

- The City of New Orleans shall prohibit smoking in all enclosed workplace areas and buildings and any outdoor areas where other persons must routinely pass in order to gain access or depart from a facility.
- 2. Smoking is prohibited in public areas in front of City Hall, on the loading dock and on the side of City Hall.
- 3. Smoking is prohibited in leased and non-leased city vehicles.
- 4. Smoking near an open window or door in an enclosed area on the City property is prohibited.

- 5. Departments are responsible for displaying signs within the work areas and throughout buildings under their exclusive control.
- 6. Departments are also responsible for displaying signs in unique facilities by Ordinance 12726 such as concert halls, gymnasiums and health clinics.
- 7. Smoking will <u>only</u> be allowed in assigned designated outdoor areas which must be clearly defined by signage. Departments are responsible for displaying signage in outside areas adjacent to City owned or operated facilities.

5. PERSONNEL ACTIONS.

- 1. Violations of this policy may result in disciplinary action in accordance with Civil Service Rule IX, Section 1 Maintaining Standards of Service.
- 2. Adverse personnel actions may not be taken against an employee who attempts to exercise their right granted by the Clean Indoor Air Act. Complaints should be directed to the Chief Administrative Office.

6. EMPLOYEE INFORMATION.

- 1. Any employee wishing to decrease or eliminate their addiction to smoking may seek assistance through the City's Department of Health and/or the City's Healthcare Plan.
- 2. You may obtain copies of the Clean Indoor Air Act from the Municipal Code on the City's website.

7. EXCEPTIONS.

There are no exceptions to this policy.

CLR, Jr./PMRC/rth